UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

Jose Gregorio CASTRO TREJO, Petitioner, v. **David Hardin, et al.,** Respondents.	Case No. 2:26-cv-00258-SPC-NPM **MOTION TO ENFORCE WRIT OF HABEAS CORPUS**

MOTION TO ENFORCE WRIT OF HABEAS CORPUS

The Petitioner, Jose Gregorio Castro Trejo, (hereinafter "Petitioner" or "Mr. Castro Trejo") by and through undersigned counsel, respectfully petitions this Court for a Petition to Enforce Writ of Habeas Corpus.

I. INTRODUCTION

2. On February 25, 2026, this Court granted Petitioner's habeas petition and ordered Respondents to either release him or provide him with an individualized bond hearing before an Immigration Judge. ***See Exhibit A.***

3. That Order imposed a substantive obligation: the Government was required to provide a meaningful, individualized adjudication applying the correct legal standards to the facts of Petitioner's case. ***Id.***

4. Although Respondents convened a bond hearing, the proceeding that followed did not comply with this Court's directive.

5. The Immigration Judge denied bond through an extremely brief and conclusory ruling that provided no meaningful explanation or analysis. The entirety of the Court's reasoning consisted of a single sentence: that "*Respondent has not met his burden in establishing he is a suitable bail risk especially in light of the Court's Order of Removal.*" The decision contains no discussion of the evidentiary record, no evaluation of flight risk or danger, and no individualized analysis as required by law. ***See Exhibit B.***

6. Petitioner timely appealed that deficient ruling to the Board of Immigration Appeals on March 16, 2026. ***See Exhibit C.***

7. Only after the appeal was filed did the Immigration Judge issue a separate "Bond Memorandum," dated March 21, 2026, attempting to expand upon and justify the prior denial. That memorandum was not part of the original ruling, was not issued contemporaneously with the bond determination, and reflects a post hoc attempt to supply reasoning that was entirely absent at the time the decision was made. ***See Exhibit D.***

8. A hearing in form alone does not constitute compliance. Because Respondents failed to provide the meaningful and contemporaneous adjudication required by this Court's Order, enforcement is necessary.

II. JURISDICTION

9. Before addressing Respondents' compliance with this Court's prior Order, this Court must first assure itself that it retains jurisdiction to enforce its judgment. Federal courts are under a continuing obligation to ensure that they possess subject-matter jurisdiction over the cases they adjudicate.

10. Jurisdiction is proper here under 28 U.S.C. § 2241 and the Court's inherent authority to enforce its own orders. This Court has already exercised habeas jurisdiction in granting relief and ordering Respondents to provide Petitioner with an individualized bond hearing or release him. The present motion does not seek review of that judgment, but rather enforcement of it.

11. To the extent Respondents may contend that this Court lacks jurisdiction because a bond hearing has now occurred, such an argument fails. The issue before this Court is not whether an Immigration Judge exercised discretion to deny bond, but whether Respondents complied with this Court's Order requiring a meaningful and individualized bond determination. That question is squarely within this Court's authority.

12. Although 8 U.S.C. § 1226(e) limits judicial review of the Attorney General's "discretionary judgment" regarding detention and bond determinations, that provision does not bar review of constitutional claims or questions of law. The Eleventh Circuit has likewise recognized that habeas jurisdiction remains available to test the legality of immigration detention and the application of legal standards governing such detention. *Madu v. U.S. Att'y Gen.*, 470 F.3d 1362, 1368 (11th Cir. 2006).

13. Petitioner does not ask this Court to reweigh discretionary factors or substitute its judgment for that of the Immigration Judge. Rather, he challenges whether the proceeding that occurred satisfied the legal and constitutional requirements imposed by this Court's Order. That claim presents a question of law and a constitutional issue, both of which remain fully reviewable.

14. Moreover, recent Supreme Court authority confirms that the application of a legal standard to a given set of facts constitutes a mixed question of law and fact that is reviewable as a question of law. See *Wilkinson v. Garland*, 601 U.S. 209, 212, 225 (2024); see also *Guerrero-Lasprilla v. Barr*, 589 U.S. 221, 228 (2020). Whether the Immigration Judge properly applied the

governing legal standard in denying bond, and whether the resulting proceeding satisfied due process, fall squarely within that category.

15. Finally, this Court's jurisdiction is independently supported by its inherent authority to enforce compliance with its own judgments. A party cannot defeat jurisdiction by engaging in superficial compliance while failing to carry out the substance of a court's directive. Where, as here, the Government has allegedly failed to provide the meaningful adjudication ordered by the Court, enforcement jurisdiction is not only proper, it is essential.

16. Accordingly, this Court retains jurisdiction to determine whether Respondents have complied with its prior Order and to grant appropriate relief.

III. EXHAUSTION

17. To the extent exhaustion is applicable, Petitioner has satisfied any such requirement.

18. Following the Immigration Judge's denial of bond, Petitioner pursued administrative review by filing a timely appeal to the Board of Immigration Appeals, thereby providing the agency an opportunity to address the deficiencies in the ruling. That appeal necessarily challenged the Immigration Judge's conclusory determination and failure to apply the correct legal standards.

19. In any event, exhaustion is not required in this posture. The Eleventh Circuit has made clear that exhaustion in the habeas context is not jurisdictional and may be excused where administrative remedies are inadequate or futile. *Santiago-Lugo v. Warden*, 785 F.3d 467, 475 (11th Cir. 2015). That principle applies with particular force where, as here, the claim concerns the legality of detention and compliance with a federal court order.

20. This motion does not seek ordinary appellate review of a bond determination. It seeks enforcement of this Court's prior habeas judgment. No administrative body has the

authority to enforce a federal district court's order or to remedy noncompliance with that order. As a result, any further administrative process would be inherently inadequate.

21. Moreover, requiring Petitioner to pursue additional administrative remedies would be futile. The Immigration Judge has already reaffirmed the same legally deficient reasoning after reconsideration, demonstrating that further proceedings would not produce a different result. The issue presented is not one that the agency is positioned to correct; it is whether Respondents have complied with a binding judicial directive.

22. Accordingly, exhaustion is either satisfied or excused.

IV. PROCEDURAL BACKGROUND

23. On February 25, 2026, this Court granted Petitioner's Petition for Writ of Habeas Corpus and ordered Respondents to either provide Petitioner with an individualized bond hearing before an Immigration Judge or release him.

24. On March 5, 2026, a bond hearing was conducted before Immigration Judge Stuart A. Siegel. Following that hearing, the Immigration Judge issued a summary order denying bond, stating: *"Respondent has not met his burden in establishing he is a suitable bail risk especially in light of the Court's Order of Removal."*

25. Petitioner timely appealed the Immigration Judge's bond determination to the Board of Immigration Appeals. That appeal was necessarily based on the Immigration Judge's original ruling, which contained only a conclusory statement and no meaningful analysis.

26. After the appeal was filed, the Immigration Judge issued a separate "Bond Memorandum" attempting to provide additional reasoning for the prior denial. That memorandum was not part of the original bond decision, was not before the Board at the time of appeal, and constitutes a post hoc attempt to justify a legally deficient ruling.

27. Petitioner remains detained.

V. LEGAL STANDARD

28. A federal court's habeas order must be complied with in substance, not merely in form. When a court directs that a petitioner receive an individualized bond hearing, the Government must provide a proceeding that meaningfully applies the governing legal standards and evaluates the evidence.

29. The Supreme Court has made clear that civil immigration detention must be justified and must bear a reasonable relation to its purpose. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). The Eleventh Circuit has likewise recognized that detention is subject to constitutional limitations and must be supported by lawful authority. *Sopo v. U.S. Att'y Gen.*, 825 F.3d 1199, 1217 (11th Cir. 2016).

30. Courts reviewing bond determinations have emphasized that a conclusory application of legal standards is insufficient. A decision must reflect that the adjudicator actually applied the law to the facts.

VI. ARGUMENT

A. Respondents Failed to Comply with This Court's Order

31. This Court required an individualized bond hearing. That requirement imposed a substantive obligation on Respondents to ensure that the Immigration Judge conducted a meaningful, fact-specific adjudication.

32. The Immigration Judge's decision demonstrates that this did not occur. The denial of bond rests on a single conclusory statement that Petitioner failed to meet his burden *"especially in light of the Court's Order of Removal."* That reasoning was repeated in the decision denying reconsideration.

33. There is no meaningful discussion of Petitioner's individual circumstances, no evaluation of the evidence presented, and no explanation as to why detention is necessary. The decision does not reflect an individualized determination; it reflects a determination not grounded in an individualized assessment of the record.

34. Because Respondents failed to provide the adjudication this Court ordered, they have not complied with the Court's Judgment.

B. The Immigration Judge Applied an Incorrect Legal Framework

35. The Immigration Judge's reliance on the existence of a removal order as the central basis for denying bond constitutes a legal error.

36. The removal order in this case is not administratively final and does not establish that Petitioner presents a flight risk or danger. Reliance on that order as a dispositive factor effectively replaces individualized analysis with a categorical rule.

37. Such an approach is incompatible with the Supreme Court's requirement that detention be justified by lawful and individualized reasoning. Zadvydas, 533 U.S. at 690. It is likewise inconsistent with this Court's directive requiring an individualized bond determination.

38. The Immigration Judge's analysis is further defective because it fails to account for Petitioner's approved Special Immigrant Juvenile classification and his resulting statutory pathway to lawful permanent residence. Under 8 U.S.C. § 1101(a)(27)(J), Petitioner has already been classified as a Special Immigrant Juvenile, a humanitarian designation requiring specific findings of abuse, neglect, or abandonment. Congress coupled that classification with a direct pathway to lawful permanent residence through 8 U.S.C. § 1255(h), which expressly provides that such individuals "shall be deemed, for purposes of [§ 1255(a)], to have been paroled into the United States." This statutory scheme reflects a congressional determination that SIJ

beneficiaries are not to be treated as removable in the ordinary sense, but rather as individuals with a protected pathway to lawful status.

39. The Immigration Judge's decision contains no discussion whatsoever of Petitioner's SIJ status, no acknowledgment of his eligibility to adjust status, and no analysis of how that statutory posture bears on the bond determination. That omission is legally significant. A noncitizen who has already been granted SIJ classification and is eligible to adjust status cannot be treated as similarly situated to an individual with no lawful pathway to remain in the United States.

40. By failing to consider this dispositive statutory framework, the Immigration Judge applied an incomplete and legally deficient analysis, further confirming that the proceeding was not the individualized adjudication required by this Court's Order.

C. The Decision Fails to Reflect Any Meaningful Consideration of the Evidence

41. A constitutionally adequate bond hearing requires meaningful engagement with the evidence. The Immigration Judge's decision contains none.

42. The ruling does not reference testimony, does not evaluate documentary evidence, and does not weigh relevant factors. It does not consider whether conditions of release could mitigate any perceived risk. It does not explain why detention is necessary.

43. The failure to consider Petitioner's SIJ status is compounded by the Immigration Judge's reliance on a removal order that is not administratively final. Petitioner has appealed that order to the Board of Immigration Appeals, and therefore it does not establish removability or justify continued detention.

44. Despite this, the Immigration Judge treated the existence of the removal order as a central factor in denying bond, without acknowledging its non-final status or analyzing its legal

effect. A non-final removal order does not establish flight risk, nor does it negate the relevance of Petitioner's statutory eligibility for lawful permanent residence.

45. By ignoring Petitioner's strongest evidence in favor of release while relying on a legally insufficient factor against him, the Immigration Judge failed to conduct the meaningful evidentiary analysis required by law.

46. The absence of analysis confirms that the proceeding was not a genuine adjudication.

D. The Determination Reflects a Predetermined Outcome

47. The structure of the Immigration Judge's decision demonstrates that the outcome was predetermined. The ruling is anchored to the existence of a removal order and does not engage with the individualized facts of the case.

48. Due process requires that detention decisions be based on actual findings supported by evidence. A decision that reflects a predetermined outcome rather than a reasoned analysis cannot satisfy that requirement.

E. Respondents' Noncompliance Warrants Enforcement

49. Respondents did not comply with this Court's Order. The bond determination issued at the hearing was legally deficient, and the subsequent attempt to supply reasoning after the fact cannot cure that failure.

50. Federal courts retain authority to enforce compliance with their orders and to ensure that their judgments are given meaningful effect. Where the Government provides only superficial compliance, enforcement is appropriate.

F. The Immigration Judge's Post Hoc Memorandum Cannot Cure Noncompliance

51. The Government may attempt to rely on the Immigration Judge's subsequent Bond Memorandum to argue that the bond determination was adequately reasoned. That argument fails as a matter of law.

52. The Immigration Judge's original ruling consisted of a single conclusory statement denying bond based primarily on the existence of a removal order. That ruling contained no meaningful analysis, no evaluation of the evidentiary record, and no application of the governing legal standard. It was that ruling, and that ruling alone, that constituted the bond determination required by this Court's Order.

53. Only after Petitioner appealed did the Immigration Judge issue a separate memorandum attempting to expand upon and justify the prior decision. That memorandum was not part of the original adjudication and was not before the Board of Immigration Appeals at the time of review. It therefore cannot retroactively cure the deficiencies in the original proceeding.

54. It is a fundamental principle of administrative law that agency action must be evaluated based on the reasoning provided at the time the decision was made. A court may not accept post hoc rationalizations offered to justify an otherwise deficient decision.

55. The adequacy of the bond hearing must be assessed based on what actually occurred at the hearing and in the contemporaneous ruling, not on explanations developed after the fact.

56. Allowing Respondents to rely on the subsequent memorandum would eviscerate this Court's Order. It would permit the Government to comply in form by conducting a deficient hearing, and then later attempt to salvage that proceeding through after-the-fact justification. That is not meaningful compliance. It is precisely the type of superficial compliance that federal courts reject.

57. Because the Immigration Judge failed to provide a legally sufficient and individualized determination at the time of the bond hearing, Respondents did not comply with this Court's Order. The very existence of the subsequent memorandum underscores the inadequacy of the original ruling, as it reflects the Immigration Judge's own recognition that the initial decision lacked sufficient reasoning to support continued detention.

G. Immediate Release Is the Appropriate Remedy

58. Petitioner has already been subjected to a bond hearing that failed to comply with this Court's Order. Courts are not required to provide repeated opportunities for deficient proceedings.

59. In similar circumstances, courts have ordered release rather than requiring additional hearings.

60. Given the Government's failure to provide a constitutionally adequate hearing, immediate release is the appropriate remedy. In the alternative, the Court should order a new bond hearing before a different Immigration Judge with instructions to apply the correct legal standard and issue a reasoned decision.

VII. CONCLUSION

61. Respondents have failed to comply with this Court's February 25, 2026 Judgment. The bond hearing provided was not the individualized and meaningful adjudication required by law.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court grant this Motion to Enforce and:

1. **Find that Respondents have failed to comply** with this Court's February 25, 2026 Judgment requiring an individualized bond hearing;

2. **Order Petitioner's immediate release** from ICE custody, as Respondents have failed to provide the meaningful and lawful adjudication required by this Court's Order;

3. **Alternatively**, if the Court determines that release is not warranted at this time, order that Petitioner be provided a **new bond hearing**, with instructions that:

    1. The correct legal standard be applied;

    2. The Government bear the appropriate burden of proof; and

    3. A reasoned, written decision be issued reflecting a meaningful evaluation of the evidence;

4. **Retain jurisdiction** to ensure full compliance with this Court's Order and to provide any further relief necessary to effectuate its Judgment; and

5. **Grant such other and further relief** as this Court deems just and proper.

Dated this April 14th, 2026.

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